

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

ANNETTE PYE,

Plaintiff,

vs.

MICHAEL J. ASTRUE, Commissioner
of Social Security,

Defendant.

No. CV 07-685-TUC-CKJ (HCE)

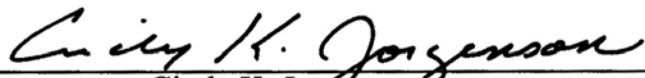
ORDER

On February 20, 2009, Magistrate Judge Hector C. Estrada issued a Report and Recommendation [Doc. #14] in which he recommended that Defendant's Motion to Dismiss [Doc. #12] be granted. No objections have been filed within the time provided by 28 U.S.C. § 636(b)(1).

Accordingly, after an independent review, IT IS ORDERED:

1. The Report and Recommendation [Doc. #14] is ADOPTED;
2. Defendant's Motion to Dismiss [Doc. #12] is GRANTED. This matter is DISMISSED WITHOUT PREJUDICE;
3. Plaintiff's Complaint shall be construed as a request for review. Further, review of this claim shall be expedited by Defendant at the Appeals Council level; and
4. The Clerk of the Court shall enter judgment in this matter, and close its file.

DATED this 1st day of April, 2009.



Cindy K. Jorgenson
United States District Judge